

FILED  
CLERK'S OFFICE  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JUN 10 2004 P 14b

UNIVERSITY OF MASSACHUSETTS,

Plaintiff,

v.

JAMES M. ROBL AND PHILIPPE COLLAS,

Defendants.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASS.

Civil Action No. 04-11013-RGS

**PLAINTIFF'S MOTION TO REMAND**

Pursuant to 28 U.S.C. §§ 1441 and 1447(c), Plaintiff University of Massachusetts ("University") respectfully moves for an order remanding this matter to the Superior Court (Suffolk County) for the Commonwealth of Massachusetts because this Court lacks federal subject matter jurisdiction over the action.

In support thereof, the University is submitting its Memorandum in Support of Motion to Remand herewith.

**Local Rule 7.1(A)(2) Certification**

I hereby certify that, pursuant to Local Rule 7.1(A)(2), Kevin M. Littman, Esq., counsel for Plaintiff, and Tara C. Clancy, Esq., counsel for Defendants James M. Robl And Philippe Collas, conferred on June 17, 2004, by telephone and attempted in good faith to resolve or narrow the issues presented by Plaintiff's Motion to Remand, but were unable to do so.

Dated: June 18, 2004

Respectfully submitted,

University of Massachusetts

By its attorneys:

Of Counsel:

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true copy of the foregoing was delivered by hand to attorney for defendants, Thomas Holt, Esq., Kirkpatrick & Lockhart LLP, 75 State Street, Boston, MA 02109 this 18<sup>th</sup> day of June, 2004, as set forth below:

*Thomas F. Reilly*

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